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Attorneys for Defendant Micron Electronics, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, MICHAEL B.
HINCKLEY, JACQUELINE T.
HLADUN, MARILYN J. CRAIG,
JEFFERY P. CLEVINGER, and
TIMOTHY C. KAUFMANN, individually
and on behalf of those similarly situated,

Plaintiffs,

vs.

MICRON ELECTRONICS, INC., a
Minnesota corporation,

Defendant.

Case No. CIV 01-0244-S-BLW

**DEFENDANT'S STATEMENT OF NON-
OPPOSITION TO MOTION
(RE: PLAINTIFFS' MOTION TO
EXTEND TIME TO RESPOND TO 563
REQUESTS FOR ADMISSION AND
INTERROGATORIES (DOCKET NO.
173))**

Pursuant to Local Civil Rule 7.1(a)(5), Defendant Micron Electronics, Inc.

("Defendant"), by and through its attorneys, Stoel Rives LLP, in response to "Plaintiffs' Motion to Extend Time to Respond to 563 Requests for Admission and Interrogatories" (Docket

**DEFENDANT'S STATEMENT OF NON-OPPOSITION TO MOTION
(RE: PLAINTIFFS' MOTION TO EXTEND TIME TO RESPOND TO 563 REQUESTS
FOR ADMISSION AND INTERROGATORIES (DOCKET NO. 173)) - 1**

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No. 173), hereby files its statement of non-opposition, as follows:

1. Defendant consents to the requested extension of time until May 19, 2004 in order for Plaintiffs to provide complete and timely answers to the subject written discovery, including Defendant's First through Fourth Sets of Requests for Admission, dated and served by hand delivery on April 2, 2004; and Defendant's Second Set of Interrogatories to Plaintiffs (re: ROG Nos. 15 through 25), dated and served by hand delivery on April 2, 2004.

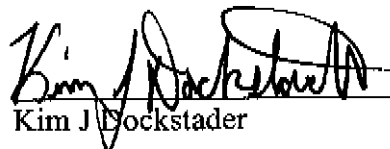
2. Complete and timely answers to this written discovery are critical to the parties' ability to prepare briefing and arguments concerning final class certification and related issues, which briefing presently is due on May 28, 2004.

3. Defendant does not agree with all of the representations made in Plaintiffs' motion or the Affidavit of William H. Thomas (Docket No. 174) filed in support. Nevertheless, given Defendant's willingness to consent to the requested extension of time on the foregoing basis, any dispute over those representations is immaterial at this time.

4. Defendant is willing to prepare and submit a proposed Order to the Court.

DATED this 5th day of May, 2004.

STOEL RIVES LLP


Kim J. Docketstad

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of May, 2004, I caused to be served a true copy of the foregoing **DEFENDANT'S STATEMENT OF NON-OPPOSITION TO MOTION (RE: PLAINTIFFS' MOTION TO EXTEND TIME TO RESPOND TO 563 REQUESTS FOR ADMISSION AND INTERROGATORIES (DOCKET NO. 173))** by the method indicated below, addressed to the following:

William H. Thomas
Daniel E. Williams
Christopher F. Huntley
HUNTLEY PARK LLP
250 South Fifth Street
PO Box 2188
Boise, Idaho 83701-2188
Fax: 208 345 7894

☒ Via U. S. Mail
☐ Via Hand-Delivery
☐ Via Overnight Delivery
☒ Via Facsimile



Kim J Dockstader

**DEFENDANT'S STATEMENT OF NON-OPPOSITION TO MOTION
(RE: PLAINTIFFS' MOTION TO EXTEND TIME TO RESPOND TO 563 REQUESTS
FOR ADMISSION AND INTERROGATORIES (DOCKET NO. 173)) - 3**

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